

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

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|----------------------------|---|-----------------------|
| BANCENTRE CORP., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. CIV-13-604-D |
| |) | |
| |) | |
| ATLANTIC MANAGEMENT |) | |
| CORPORATION, <i>et al.</i> |) | |
| |) | |
| Defendants. |) | |

ORDER

Before the Court is Plaintiff's Motion for Attorneys' Fees and Expenses [Doc. No. 49].¹ Plaintiff seeks an award against the "Copeland Defendants" pursuant to the Judgment entered April 9, 2014, which decreed that "Plaintiff is entitled to an *in personam* money judgment against Atlantic Management Corporation, 5 Crown Funding LLC, Wayne E. Copeland, Jr. and Karen L. Copeland for a reasonable attorneys' fee incurred in connection with this case and as allowed pursuant to the notes, mortgages, security agreements, guaranty agreements and/or by law, subject to proper and timely motion by Plaintiff to establish the amount, reasonableness and necessity thereof." *See* Judgment [Doc. No. 48] at 10. Defendants have made no timely response to the Motion. In the exercise of

¹ Plaintiff seeks an award of taxable costs by a separate Bill of Costs [Doc. No. 50], which has been set for hearing by the Clerk of Court.

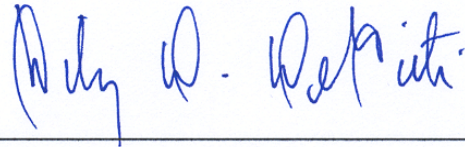
discretion under Rule LCvR7.1(g), the Court deems the Motion confessed. For this reason and the reasons that follow, the Court grants Plaintiff's Motion.

Upon consideration of the issues and the case record, the Court that finds Plaintiff is entitled to an award of attorney fees and the amount sought is reasonable and appropriate. Plaintiff is the prevailing party in this action to recover sums due under promissory notes, mortgages, security agreements, and guaranty agreements. After granting an unopposed motion for summary judgment, the Court entered a money judgment in favor of Plaintiff against the Copeland Defendants in the full amount sought, which exceeded \$6 million. Based on the Affidavit of Robert L. Roark and the supporting time records, as well as the Court's knowledge and experience regarding the rates charged in the local legal community and the skill of Plaintiff's counsel, the Court finds that the hourly rates sought are reasonable and that the amount sought represents a reasonable sum for the legal services provided by Plaintiff's counsel. The Court further finds that the amount sought for litigation expenses, which are recoverable as a matter of contract, is reasonable and reflects payment for necessary services and actual expenses incurred by Plaintiff in enforcing its claims.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Attorneys' Fees and Expenses [Doc. No. 49] is GRANTED. The Court awards Plaintiff a reasonable attorney fee in the amount of \$46,839.00 and expenses in the amount of \$4,093.00 against Defendants

Atlantic Management Corporation, 5 Crown Funding LLC, Wayne E. Copeland, Jr. and Karen L. Copeland. Judgment shall be entered accordingly.

IT IS SO ORDERED this 16th day of May, 2014.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE